

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM A. PHILLIPS,

Defendant.

REDACTED

Criminal Action No. 08- 3/

~~SEALED~~ UNSEALED  
2/27/08 KJK

**INDICTMENT**

The Grand Jury for the District of Delaware charges that:

**Count 1**

On or about August 17, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly attempted to transport by computer in interstate and foreign commerce child pornography, that is, computer generated visual depictions in the form of computer files which are of minors engaged in sexually explicit conduct, specifically, actual and simulated sexual intercourse and the lascivious exhibition of the genitals and pubic area, in violation of Title 18, United States Code, Section 2252A(a)(1) and (b)(1).

**Count 2**

On or about September 11, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly attempted to transport by computer in interstate and foreign commerce child pornography, that is, computer generated visual depictions in the form of computer files which are of minors engaged in sexually explicit conduct, specifically, actual and simulated sexual intercourse and the lascivious

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exhibition of the genitals and pubic area, in violation of Title 18, United States Code, Section 2252A(a)(1) and (b)(1).

**Counts 3 - 6**

From on or about September 2, 2006, through on or about September 16, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly received and attempted to receive child pornography, that is, computer generated visual depictions in the form of computer files which are of minors engaged in sexually explicit conduct, specifically, actual and simulated sexual intercourse and the lascivious exhibition of the genitals and pubic area, which child pornography had been transported in interstate and foreign commerce by computer, the dates being described more particularly, as follows:

<b><u>Count</u></b>	<b><u>Date Received</u></b>
3	9/02/06
4	10/15/06
5	8/12/07
6	9/16/07

in violation of Title 18, United States Code, Section 2252A(a)(2) and (b)(1).

**Count 7**

On or about September 19, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly possessed and attempted to possess a computer hard drive and digital storage media that contained images of child pornography, that is, visual depictions which are of minors engaged in sexually explicit conduct, specifically, actual and simulated sexual intercourse and the lascivious exhibition of the genitals and pubic area, which child pornography had been transported in interstate

and foreign commerce and which had been produced using materials which had been transported in interstate commerce, in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

**Count 8**

On or about August 17, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly attempted to distribute in interstate and foreign commerce visual depictions, that is, computer files, that depict computer images that are or appear to be of minors engaging in graphic sexual intercourse, and that lack serious literary, artistic, political, or scientific value, in violation of Title 18, United States Code, Sections 1466A(a)(2)(A) and (B), and 2252A(b)(1).

**Count 9**

On or about September 11, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly attempted to distribute in interstate and foreign commerce visual depictions, that is, computer files, that depict computer images that are or appear to be of minors engaging in graphic sexual intercourse, and that lack serious literary, artistic, political, or scientific value, in violation of Title 18, United States Code, Sections 1466A(a)(2)(A) and (B), and 2252A(b)(1).

**Count 10**

On or about August 12, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly received and attempted to receive visual depictions, that is, computer files, that depict computer images that are or appear to be of minors engaging in graphic sexual intercourse, and that lack serious literary, artistic, political, or scientific value, which images had been transported in interstate and foreign commerce by computer, and which images had been produced using materials that had been shipped and transported in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 1466A(a)(2)(A) and (B), and 2252A(b)(1).

**Count 11**

On or about September 19, 2007, in the District of Delaware, William A. Phillips, the defendant, knowingly possessed and attempted to possess visual depictions, that is, computer files, that depict computer images that are or appear to be of minors engaging in graphic sexual intercourse, and that lack serious literary, artistic, political, or scientific value, which images had been transported in interstate and foreign commerce by computer, and which images had been produced using materials that had been shipped and transported in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 1466A(b)(2)(A) and (B), and 2252A(b)(2).

A TRUE BILL:

COLM F. CONNOLLY  
United States Attorney

By: 

Edmond Falgowski  
Assistant United States Attorney

Dated: 2-26-08